

## AMENDMENTS TO THE CLAIMS

Please amend Claims 1-5 and add new Claim 6 as follows.

### **LISTING OF CLAIMS**

1. (currently amended) A device for opening and closing a passage comprising:

a door ~~[[40]]~~ having a door shaft ~~[[41]]~~ which becomes the center of rotation, and also having a plate-shaped door portion ~~[[42]]~~ for opening and closing an opening portion ~~(50, 51)~~; and a case ~~[[11]]~~ having a bearing hole ~~[[52]]~~ for pivotally holding the door shaft ~~[[41]]~~ and also having the opening portion ~~(50, 51)~~, wherein

the opening portion ~~(50, 51)~~ of the device for opening and closing ~~[[a]]~~ the passage is a passage in which air flows, and an elastic packing member ~~(43, 143, 243)~~ for reducing clearance disposed between the door shaft ~~[[41]]~~ and the bearing hole ~~[[52]]~~ is attached to at least one of the door shaft ~~[[41]]~~ and the bearing hole ~~[[52]]~~.

2. (currently amended) A device for opening and closing a passage according to claim 1, wherein the door shaft ~~[[41]]~~ is provided with a large diameter shaft portion ~~[[41a]]~~ and a small diameter shaft portion ~~[[41b]]~~, and the packing member ~~(43, 143, 243)~~ is attached to only the small diameter shaft portion ~~(41b)~~ in the large diameter shaft portion and the small diameter shaft portion.

3. (currently amended) A device for opening and closing a passage according to claim 1, wherein the packing member ~~[[43]]~~ is attached to the door

[[ (40), ]] and one piece of the packing member covers one face of the door portion [[ (42) ]] and one portion of the door shaft [[ (41) ]] in the circumferential direction.

4. (currently amended) ~~An air conditioner for vehicle use including a~~ A device for opening and closing a passage ~~described in~~ according to claim 1, wherein a cooling heat exchanger (12) ~~for cooling air~~ and a heating heat exchanger (13) ~~for heating air~~ are arranged in the case (11) ~~of the device for opening and closing a passage, and the opening (50, 51) of the device for opening and closing a passage is a~~ passage in which air circulates.

5. (currently amended) ~~An air conditioner for vehicle use~~ A device for opening and closing a passage according to claim 4, wherein the door (40) ~~of the device for opening and closing a passage~~ is an air mixing door for adjusting a ratio of [[the]] a volume of [[a cold]] air cooled by the cooling heat exchanger (12) ~~for cooling to the~~ and a volume of [[a hot]] air heated by the heating heat exchanger (13) ~~for heating~~.

6. (new) A device for opening and closing a passage according to claim 1, wherein the elastic packing member is attached to the at least one of the door shaft and the bearing hole at least at a position circumferentially spaced from the plate-shaped door.